

0240  
Docket No. 10806-65**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts; Assistant Commissioner of Patents, Washington, DC 20231 on October 28, 1998

Laureen E. Mains  
Laureen E. Mains



PATENT

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Anders Berkenstam et al : Paper No.: \_\_\_\_  
 Serial No.: 09/143,828 : Group Art Unit: 1646  
 Filed: August 31, 1998 : Examiner:  
 For: **Novel Vitamin D Receptor Related Polypeptides, Nucleic Acid Sequence Enclosing the Same and Uses Thereof**

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION--FILING DATE GRANTED**

BOX MISSING PARTS  
 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

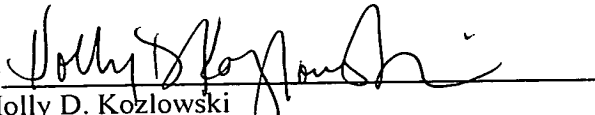
In response to the Notice to File Missing Parts of Application--Filing Date Granted dated September 16, 1998, enclosed are the following:

- (1) Declaration and Power of Attorney signed by the Inventors;
- (2) Preliminary Amendment;
- (3) Check in the amount of \$1,354.00 comprising the basic filing fee of \$790.00, one extra independent claim fee of \$82.00, 16 extra total claims fee of \$352.00 and the Government Surcharge Fee of \$130.00 required under 37 C.F.R. 1.16(e); and
- (4) Copy of the Notice to File Missing Parts of Application-Filing Date Granted, dated September 16, 1998.

Also submitted herewith are the Claim for Priority and Transmittal of Certified Priority Documents under 35 U.S.C. §119 and an Information Disclosure Statement.

It is believed that this represents a complete response to the Notice to File Missing Parts of Application. Please charge any additional fees required in connection with the present Response to Deposit Account No. 04-1133, and credit any excess in fees paid to this Deposit Account.

Respectfully submitted,

By   
Holly D. Kozlowski  
Registration No. 30,468  
Attorney for Applicants  
DINSMORE & SHOHL LLP  
1900 Chemed Center  
255 East Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8568



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/DOCKET NO./TITLE
01/10/1998	09/16/98	WILLIAM D. MOALLOUKI	

WILLIAM D. MOALLOUKI  
DENOMORE & SONS  
1000 CHEMED CENTER  
255 EAST FIFTH STREET  
CINCINNATI OH 45202



DATE MAILED:

09/16/98

11/03/1998 ASELLMAN 00000046 09143828

01 FC:105  
02 FC:101  
03 FC:102  
04 FC:103

130.00 OP  
790.00 OP  
82.00 OP  
352.00 OP

### NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a small entity (statement filed) non-small entity is \$ 1580.

☒ 1. The statutory basic filing fee is:

☒ missing.  
☐ insufficient.

Applicant must submit \$ 790. to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ 1660. including any multiple dependent claim fees, are required.

\$ 82. for 1 independent claims over 3.  
\$ 308. for 14 dependent claims over 20.

\$ 570. for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

☒ is missing or unexecuted.

☐ does not cover the newly submitted items.

☐ does not identify the application to which it applies.

☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

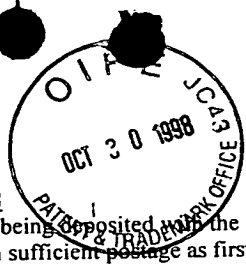
Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

#5  
U.E.  
1/14/99



PATENT

Docket No. 10806-65

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner of Patents, Washington, DC 20231 on October 28, 1998

Laureen E. Mains  
Laureen E. Mains

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Anders Berkenstam et al : Paper No.: \_\_\_\_  
Serial No.: 09/143,828 : Group Art Unit: 1646  
Filed: August 31, 1998 : Examiner:  
For: **Novel Vitamin D Receptor Related Polypeptides, Nucleic Acid Sequence Enclosing the Same and Uses Thereof**

**CLAIM FOR PRIORITY AND TRANSMITTAL OF  
CERTIFIED PRIORITY DOCUMENTS UNDER 35 U.S.C. §119**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The present application claims priority under 35 U.S.C. §119 of Swedish Applications Nos. 9703745-1 filed October 14, 1997 and 9801148-9 filed March 31, 1998. Certified copies of the priority applications are submitted herewith. As the priority applications are in the English language, all of the requirements of 35 U.S.C. §119 have been met.

Respectfully submitted,

By Holly D. Kozlowski  
Holly D. Kozlowski, Reg. No. 30,468  
Attorney for Applicants  
DINSMORE & SHOHL LLP  
1900 Chemed Center  
255 E. Fifth Street  
Cincinnati, Ohio 45202  
(513) 977-8568